

FORM PTO-1390 (Modified)  
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

T8466293US

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/926438

INTERNATIONAL APPLICATION NO  
PCT/CA00/00236INTERNATIONAL FILING DATE  
1 March 2001PRIORITY DATE CLAIMED  
1 March 2000

TITLE OF INVENTION

NETWORK RESOURCE CONTROL SYSTEM

APPLICANT(S) FOR DO/EO/US

Steven Spicer et al

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☒ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

## Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☐ Certificate of Mailing by Express Mail
23. ☐ Other items or information

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR <div style="font-size: 2em; font-weight: bold; text-align: center;">09/926438</div>		INTERNATIONAL APPLICATION NO. PCT/CA00/00236		ATTORNEY'S DOCKET NUMBER T8466293US	
24. The following fees are submitted: <b>BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5) ) :</b> <div style="margin-top: 5px;"><input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1000.00</div> <div style="margin-top: 5px;"><input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$860.00</div> <div style="margin-top: 5px;"><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$710.00</div> <div style="margin-top: 5px;"><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$690.00</div> <div style="margin-top: 5px;"><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00</div> <div style="text-align: right; margin-top: 5px;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>				<b>CALCULATIONS PTO USE ONLY</b> <div style="border: 1px solid black; height: 100px; margin-top: 5px;"></div>	
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	8 - 20 =	0	x \$18.00	\$0.00	
Independent claims	2 - 3 =	0	x \$80.00	\$0.00	
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				\$0.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$860.00</b>	
<input checked="" type="checkbox"/> Applicant claims small entity status. (See 37 CFR 1.27). The fees indicated above are reduced by 1/2.				\$430.00	
<b>SUBTOTAL =</b>				<b>\$430.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				\$0.00	
<b>TOTAL NATIONAL FEE =</b>				<b>\$430.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).			<input checked="" type="checkbox"/>	\$40.00	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$470.00</b>	
				Amount to be:	
				refunded	\$
				charged	\$
<div style="margin-top: 10px;">a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed.</div> <div style="margin-top: 5px;">b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>07-1750</u> in the amount of <u>\$430.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</div> <div style="margin-top: 5px;">c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>07-1750</u> A duplicate copy of this sheet is enclosed</div> <div style="margin-top: 5px;">d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038</div>					
<div style="margin-top: 10px;"><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</div> <div style="margin-top: 10px;"><b>SEND ALL CORRESPONDENCE TO:</b><div style="border: 1px solid black; padding: 5px; margin-top: 5px;">Gowling Lafleur Henderson LLP Suite 4900 Commerce Court West Toronto, Ontario Canada, M5L 1J3</div></div>					
				<div style="text-align: center; margin-top: 20px;"> SIGNATURE</div> <div style="margin-top: 10px;"><b>Robert Graham</b> NAME</div> <div style="margin-top: 10px;"><b>43,430</b> REGISTRATION NUMBER</div> <div style="margin-top: 10px;"><b>October 31, 2001</b> DATE</div>	